

# Notice of Allowability

Application No.

09/749,258

Examiner

Reuben Brown

Applicant(s)

HENNENHOEFER ET AL.

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/1/07 and 8/17/07.
2. ☒ The allowed claim(s) is/are 5, 6, 22-28, 30, 32 and 42.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
CHRIS KELLEY

SUPERVISORY PATENT EXAMINER

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Patrick Keane on 11/9/2007.

The application has been amended as follows:

**In the claims:**

In claim 5, line 13, "potion", has been deleted.

In claim 5, line 13, after "and send the IP", "--portion--" has been inserted.

Claims 35, 37-41 & 43-44 have been cancelled.

2. The following is an examiner's statement of reasons for allowance:

Considering claim 5, prior art of record, does not teach or reasonably suggest the claimed subject matter, requiring, 'a local RF receiver and baseband out intelligent device system for use in transmitting digital information on an RF carrier through a wideband distribution network, comprising:

'at least one addressable device having at least one input and at least one output;

'a wideband distribution unit that receives a signal, which signal includes at least a digital signal portion, from the output of the at least one addressable device; and

'an intelligent device that receives, from the wideband distribution unit, a modulated RF signal carrying at least the digital signal portion thereon, wherein the intelligent device splits an IP portion from a non-IP portion of the digital signal portion of the digital signal portion, wherein the intelligent device removes the modulated RF carrier from the IP portion and send the IP portion signal to the input of at least one addressable device, and wherein the intelligent device sends the non-IP portion to at least one standard outlet, such that the intelligent device comprises;

'a demodulator that receives the modulated RF digital portion from the wideband distribution unit;

'a first digital combiner that combines at least two demodulated digital signal portions from the demodulator into one high speed digital transmission;

'an RF splitter connected to the wideband distribution unit, which RF splitter splits the modulated RF signal; and

'at least two RF bandpass filters, wherein the first bandpass filter receives the modulated RF signal from the RF splitter and passes the IP signal portion of the modulated RF signal to the

demodulator for output to the at least one addressable device, and wherein the second bandpass filter receives the modulated RF signal from the RF splitter and passes the non-IP signal portion of the modulated RF signal to the at least one standard outlet'.

Claim 6 depends from claim 5, allowable subject matter, and is likewise treated.

Claims 22, 23, 25, 28, 30 & 32, recites similar subject matter, and is within the same scope as claim 5, and is thus likewise analyzed.

Claim 24, 26-27 & 42, depend from allowable subject recited in claims, 23, 25 & 22, respectively, and are thus likewise treated.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

## Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A) Grau      B) Chin      C) Amit      D) Hylton

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**Any response to this action should be mailed to:**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

**or faxed to:**

(571) 273-8300, (for formal communications intended for entry)

**Or:**

(571) 273-7290 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown whose telephone number is (571) 272-7290. The examiner can normally be reached on M-F (9:00-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communications and After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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